

R E M A R K S

Claims 8 and 11 stand rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 3,602,759, which issued to Evans.

With particular attention to independent Claim 8, the present invention relates to a method for attaching a base member to an end of a fluorescent lamp glass envelope including the steps of providing an annular end portion on an external wall portion of a glass envelope, pressing a base shell member of a cup-shaped configuration onto the end portion of the envelope, applying a collar of shrink wrap material to the envelope end portion and the base shell member with the collar having an adhesive on an interior surface thereof, and shrinking the collar to compress against the envelope end portion and the base shell member to fix the base shell member on the envelope end portion. According to Claim 11, shrinking the collar comprises applying heat to the collar to heat shrink the collar.

Evans teaches a fluorescent lamp including an envelope 12 having base members 18 secured to the sealed ends of the envelope. A sleeve 22 of heat-shrinkable plastic encloses the envelope.

Applicant respectfully submits that the Evan patent cited by the Examiner as anticipating the invention, does not contain all of the material elements recited in Applicant's present claims. For example, Evans fails to disclose applying a collar of shrink wrap material to the envelope end portion and the base shell member with the collar having an adhesive on an interior surface thereof; and shrinking the collar to compress against the envelope end portion and the base shell member, to fix the base shell member on the envelope end portion. Accordingly, Applicant submits that Evans fails to disclose a method for attaching a base member to an end of a fluorescent lamp glass envelope as recited in independent Claim 8. In view of the above, Applicant submits that the rejection is deemed improper since Evans does not satisfy the essential requirement for a proper rejection under 35 U.S.C. § 102(a).

Claim 11 is dependent on Claim 8 and thus includes all the limitation thereof and is similarly viewed. Allowance thereof is respectfully requested.

Claims 8, 9, 11, 19, 21, and 23 stand rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 5,536,998, which issued to Sica.

Applicant respectfully submits that the Sica patent cited by the Examiner as anticipating the instant invention, does not contain all of the material elements recited in Applicant's claims. Sica teaches a fluorescent lamp including a glass tube 12 having a cup-like terminal cap 14 disposed at each end. A protective tube 16 is received over the glass tube with its inner surface substantially uniformly spaced apart from the outer surface of the glass tube by a spacer ring 18 located adjacent each end of the glass tube. Unlike the present invention, a shrink-fitted collar 20 of Sica is used to secure the protective tube to a lamp base and not to fix a base shell member to the glass envelope as recited in the Claims. Sica further discloses an adhesive layer 22 and 24 is applied between the collar 20 and the protective tube 16 and the lamp terminal cap 14, respectively. However, as stated in column 4, lines 52-54, no adhesive is present between the glass tube 16 of the lamp and the collars 20.

In view of the above, Applicant submits that Sica fails to disclose a method for attaching a base member to an end of a fluorescent lamp glass envelope as recited in Applicant's present Claims. In view of the above, Applicant submits that the rejection is deemed improper since Sica does not satisfy the essential requirement for a proper rejection under 35 U.S.C. § 102(a).

Claims 9, 11 and 21, 23 are dependent on Claims 8 and 19, respectively, and thus includes all the limitation thereof and are similarly viewed. Allowance thereof is respectfully requested.

Claims 10, 12, 20 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sica in view of U.S. Patent No. 4,276,102, which issued to Schaeffer et al.

The Examiner states that Sica fails disclose the limitation of "the adhesive being a curable suggest a heat curable adhesive, the method including a step of curing the adhesive." However, the Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use a heat-curable adhesive as the adhesive of Sica, with the purpose of simplifying manufacture by melting the adhesive, curing it and shrinking the heat-shrinkable wrap on a single heating process.

Also, the Examiner concludes that it has been held to be within the general skills of an artisan to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

The above rejection is respectfully traversed and reconsideration thereof is requested.

Applicant respectfully submits that fact that the prior art could be modified so as to result in the combination defined by the claims would not have made the modification obvious unless the prior art suggests the desirability of the modification. There is no teaching, suggestion, or motivation for modifying the cited reference in the manner proposed by the Examiner. Accordingly, the Examiner has clearly failed to establish a prima facie case of obviousness. Moreover, Claims 10, 12, 20 and 22 depend on their respective independent Claim and therefore include all recitations thereof.

Absent such teaching or suggestion, the invention as defined by Claims 10, 12, 20 and 22 are deemed fully patentable over the above references. Withdrawal of the rejection under 35 U.S.C. § 103(a) and allowance these Claims is respectfully urged.

The remaining cited art has been examined, but is not considered more pertinent to patentability than the art discussed above.

The Application with Claims 8-12 and 19-23 is deemed in condition for allowance and such action is respectfully urged. Should the Examiner believe that minor differences exist which, if overcome, would pass the Application to allowance and that said differences can be discussed in a phone conversation, the Examiner is respectfully requested to phone the undersigned at the number provided below.

Respectfully submitted,

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